

PTOL-413A (05-03)

Approved for use through 10/10/2003. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE**Applicant Initiated Interview Request Form**

Application No.: 09/436,455 First Named Applicant: Christopher J. Danek  
 Examiner: David Shay Art Unit: 3739 Status of Application: Pending

**Tentative Participants:**

(1) Sanjay S. Bagade (2) Examiner David Shay  
 (3) (4)

Proposed Date of Interview: June 3, 2003 Proposed Time: 9:00 EST (AM/PM)

**Type of Interview Requested:**

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: \_\_\_\_\_

**Issues To Be Discussed**

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Cited Art	Discussed	Agreed	Not Agreed
(1) 102 Rej.	1, etc.	5,836,947	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) 102 Rej.	1, etc.	5,846,238	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) 103 Rej.	all	'947 and '238	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) new claim	83	n/a	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

**Brief Description of Arguments to be Presented:**

'947 fails to anticipate claims; '238 fails to anticipate claims; no prima facie case of obviousness addition of new claims.

An interview was conducted on the above-identified application on \_\_\_\_\_.

**NOTE:**

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Sanjay S. Bagade  
 (Applicant's Signature)

\_\_\_\_\_  
 (Examiner/SPE Signature)

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**B**

Broncus Technologies, Inc.  
1400 N. Shoreline Blvd.  
Building A, Suite 8  
Mountain View, CA 94043  
www.broncus.com

(650) 428-1600  
(650) 428-1542 fax

**FAX RECEIVED**  
**MAY 30 2003**  
**GROUP 3700**

**Fax**

To: Examiner David Shay

From: Sanjay Bagade, Reg. No. 42,280  
Broncus Technologies Inc.

Fax: (703) 872-9302

Date: 05/29/03

Phone: (703) 308-2215

Pages: 2

**OFFICIAL FILING**

Re: Application No.: 09/436,455  
Examiner: David Shay  
Art Unit: 3739  
In re application of Christopher J. DANEK et al.  
Filed: November 8, 1999  
For: DEVICES FOR MODIFICATION OF AIRWAYS BY TRANSFER OF  
ENERGY  
Attorney Docket No.: 43571-20009.21

Comments:

Papers enclosed herewith:

1. PTOL-413A Applicant Initiated Interview Request Form